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ABSTRACT

As approved by the Committee on Education and Labor, House Resolution 2312 clarifies the intent of Congress with regard to several provisions enacted into law by the Augustus F. Hawkins Human Services Reauthorization Act of 1990. The resolution also makes technical and conforming corrections to the Follow Through Act and the Head Start Transition Project Act. This report includes an introduction, a report of committee action, background information, a rationale, an explanation of H.R. 2312, a statement of committee approval, an oversight statement, an inflationary impact statement, oversight findings and recommendations of the Committee on Government Operations, an estimate of the cost of the legislation, and a section-by-section analysis. Minority views are appended. (RH)

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102D CONGRESS
1st Session

HOUSE OF REPRESENTATIVES

REPORT
102-76

FOLLOW THROUGH TECHNICAL AMENDMENTS

MAY 23, 1991.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. FORD, of Michigan, from the Committee on Education and Labor, submitted the following

REPORT

together with

MINORITY VIEWS

[To accompany H.R. 2312]

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[Including cost estimate of the Congressional Budget Office]

The Committee on Education and Labor, to whom was referred the bill (H.R. 2312) to make certain technical and conforming amendments to the Follow Through Act and the Head Start Transition Project Act, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PS 019836

I. INTRODUCTION

As approved by the Committee on Education and Labor, H.R. 2312 clarifies the intent of Congress with regard to several provisions enacted into law by the Augustus F. Hawkins Human Services Reauthorization Act of 1990 and makes technical and conforming corrections to several other provisions contained in that Act.

II. COMMITTEE ACTION

Following the enactment of the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (P.L. 101-501), the Committee through staff oversight became aware of problems in the implementation of the amendments contained in this Act.

On May 14, 1991, Mr. Kildee introduced H.R. 2312, a bill to make certain technical and conforming amendments to the Follow

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Through Act and the Head Start Transition Project Act. The bill was referred to the Committee on Education and Labor.

On May 16, 1991, the Committee on Education and Labor met in open session at which time H.R. 2312 as considered and ordered reported, without amendment, by voice vote.

III. Background and Need for Legislation

The need for H.R. 2312 has its genesis in the enactment of the Augustus F. Hawkins Human Services Reauthorization Act of 1990 (P.L. 101-501). This act substantially amended the Follow Through Act (FTA) and authorized appropriations for an additional four years.

Among the many changes made to the FTA were the addition of application requirements and technical assistance and training provisions. In the implementation of P.L. 101-501, the Department of Education interpreted these provisions in a manner which would limit a grantee's ability to continue receiving Follow Through funding. This did not comport with congressional intent.

P.L. 101-501 also established a new Head Start Transition Project Act (HSTPA) and required the Departments of Education and Health and Human Services to coordinate the review of applications for assistance under the HSTPA and the FTA. Thus far, the two departments have been unsuccessful in implementing this requirement because they have very different grant review processes and may review applications for assistance at different times of the year.

As described in the next section, H.R. 2312 clarifies congressional intent relative to the provisions of P.L. 101-501 and addresses and makes technical changes that improve the administration of the FTA and the HSTPA.

IV. Explanation of H.R. 2312

The first provision in section 1 of the bill amends section 663(b) (Consideration of Applications) of the Follow Through Act to clarify that the requirement in paragraph (5) only applies in the case of an applicant eligible for technical assistance. Ineligibility for technical assistance is not intended to cut off a local educational agency's eligibility for a grant under part I of the Follow Through Act. This amendment is necessary to correct such an interpretation by the Department of Education.

The Augustus F. Hawkins Human Services Reauthorization Act of 1990 (P.L. 101-501) amended the FTA to require each Follow Through applicant to have arranged to receive technical assistance and training relative to the model approach it has selected. Unfortunately, the Department has read this provision together with section 664A(b) (limiting the period of time that a local program can receive technical assistance related to a particular model approach) and reached the conclusion that a local program that is no longer eligible for technical assistance is similarly ineligible for another Follow Through grant. This interpretation was neither foreseen nor intended. So long as an eligible school district successfully competes for Follow Through funding, the only authorized limitation is

on the length of time that it can receive technical assistance related to a particular model approach.

The second provision in section 1 amends section 669A of the FTA to make the current application coordination requirement "to the extent practicable."

P.L. 101-501 reauthorized the FTA for an additional four years and established a new Head Start Transition Project Act (HSTPA). In order to ensure maximum local coordination of programs carried out under the FTA and the HSTPA, these two acts were amended to require the Departments of Education and Health and Human Services to coordinate their review of grant applications so that an eligible local educational agency could apply simultaneously for Follow Through and Head Start Transition Project funds.

Implementation of this requirement has proven to be extremely difficult and, while reluctant to abandon the objective of inter-departmentally coordinated application review, the Committee wishes to ensure that the programs are not harmed in the process. Because the departments involved have very different grant review processes and may review grants at different times of the year, the bill amends the FTA by making coordinated application review subject to a determination by the Secretary of Education as to whether it is "practicable."

Section 2 of the bill amends section 139 of the HSTPA to ensure that the Secretary of Health and Human Services also has authority to determine whether coordinated review of applications for Follow Through and Head Start Transition funds is "practicable."

V. Committee Approval

In compliance with clause 2(1)(2)(B) of rule XI of the Rules of the House of Representatives, the Committee states that on May 16, 1991, a quorum being present, the Committee favorably ordered reported H.R. 2312, without amendment, by voice vote.

VI. Oversight Statement

With regard to the statement required by clause 2(1)(3)(A) of rule XI of the Rules of the House of Representatives, regarding any findings or recommendations, the Committee on Education and Labor, pursuant to its ongoing oversight activities, has determined that legislation should be enacted as set forth in H.R. 2312.

VII. Inflationary Impact Statement

In compliance with clause 2(1)(4) of the rule XI of the Rules of the House of Representatives, the Committee estimates that the enactment into law of H.R. 2312 will have little or no inflationary impact on the prices and costs in the operation of the national economy. It is the judgment of the Committee that the inflationary impact of this legislation as a component of the Federal budget is negligible.

VIII. Oversight Findings and Recommendations of the Committee on Government Operations

In compliance with clause 2(1)(3)(D) of rule XI of the Rules of the House of Representatives, the Committee states that no findings or recommendations of the Committee on Government Operations were submitted to the Committee.

IX. Cost of This Legislation

A. CONGRESSIONAL BUDGET OFFICE ESTIMATE

In compliance with clause 2(1)(3) (B) and (C) of rule XI of the Rules of the House of Representatives, the estimate prepared by the Congressional Budget Office pursuant to section 403 of the Congressional Budget Act of 1974, submitted prior to the filing of this report, is set forth as follows:

U.S. Congress,
Congressional Budget Office,
Washington, DC, May 21, 1991.

Hon. William D. Ford,
Chairman, Committee on Education and Labor, House of Representatives, Washington DC.

Dear Mr. Chairman: The Congressional Budget Office has reviewed H.R. 2312 as ordered reported by the House Committee on Education and Labor on May 16, 1991. This bill would result in no cost to federal, state, or local governments. This bill would also not affect direct spending or receipts, so there are no pay-as-you-go considerations under section 252 of the Budget Enforcement Act of 1990.

H.R. 2312 would make technical amendments to both the Follow Through Act and the Head Start Transition Project Act. These amendments would provide for a coordinated review of applications for Follow Through and Head Start Transition Project funds.

If you wish further details on this cost estimate we will be pleased to provide them. The staff contact is Diane Celuch, who can be reached at 226–2800.

Sincerely,

Robert D. Reischauer,
Director.

Committee Estimate

With reference to the statement required by clause 7(a)(1) of rule XIII of the Rules of the House of Representatives, the Committee accepts the estimate prepared by the Congressional Budget Office.

X. Section-by-Section Analysis

Section 1 makes a technical correction to the Consideration of Application section of the Follow Through Act by providing that paragraph (5) of section 663(b) applies only in the case of an applicant eligible for technical assistance.

This section also makes a technical correction to the Participation in Other Educational Activities section of the Follow Through

Act by rewriting this provision and by making the coordinated review of applications for Follow Through and Head Start Transition Project funds "to the extent practicable".

Section 2 makes a conforming amendment to the Coordination with Follow Through section of the Head Start Transition Project Act. This change provides that, like the Follow Through amendment in section 1, the coordinated review of applications is to be accomplished "to the extent practicable".

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italic, existing law in which no change is proposed is shown in roman):

FOLLOW THROUGH ACT

Subchapter D—Follow Through Programs

* * * * * * *

PART I—DIRECT SERVICES

* * * * * * *

CONSIDERATION OF APPLICATIONS

SEC. 663. (a) * * *

(b) CONTENTS OF APPLICATION.—Each application for a grant under this part shall—

(1) * * *

* * * * * * *

(5) provide evidence that the applicant has made a formal arrangement to receive technical assistance *(in the case of any applicant eligible for such assistance)* and training relative to such approach from an appropriate agency, institution, or organization that receives funds under section 664A;

* * * * * * *

PARTICIPATION IN OTHER EDUCATIONAL ACTIVITIES

SEC. 669A. (a) * * *

[(b) The Secretary shall consult with the Secretary of Health and Human Services in the coordination of the program established under this Act with the programs established under the Head Start Transition Project Act to enable local educational agencies to submit a single application for funding under both such programs and shall, to the extent practicable, coordinate the issuance of regulations governing such programs.]

(b) The Secretary shall—

(1) consult with the Secretary of Health and Human Services in the coordination of the program established under this Act with the programs established under the Head Start Transition Project Act;

(2) provide, to the extent practicable, for the coordinated review of applications for funds submitted under each such program; and

(3) coordinate, to the extent practicable, the issuance of regulations governing such programs.

* * * * * * *

SECTION 139 OF THE HEAD START TRANSITION PROJECT ACT

SEC. 139. COORDINATION WITH FOLLOW THROUGH.

The Secretary shall arrange with the Secretary of Education to coordinate the programs established under this subtitle with the programs established under the Follow Through Act [to enable local educational agencies to submit a single application for funding under both such programs,] and shall, to the extent practicable, *provide for coordinated review of applications submitted for funds available under this subtitle and applications submitted for funds available under such Act, and*

MINORITY VIEWS

A provision of H.R. 2312 would clarify that a grantee does not become ineligible for additional funds under the Follow Through Program because they are no longer eligible for training and technical assistance. My concern is that the enactment of this legislation would, in effect, continue to provide grants to programs which have been operational far beyond what could be considered a normal demonstration grant period.

Until 1986, the Follow Through Program even had the word demonstration included in its title. At least 32 of the current 63 grantees have received funding for more than 20 years. How long does it take to demonstrate the effectiveness of a Follow Through model? It is time for long-term grantees to operate Follow Through programs without federal support. They have had ample time to work out program problems and, under current law, would still be eligible for at least another three years of funding.

Proponents of the program point out that the Follow Through Program is now a competitive grant program. However, because current grantees have had a great deal of experience in the preparation of applications, they have a distinct advantage over new applicants and generally continue to receive grant awards.

As long as current, long-term grantees continue to obtain grants, there is no incentive for sponsors to seek additional schools within which their Follow Through model can be utilized, to develop new models, or to implement program improvements.

New grantees would benefit the program by broadening its support and diminishing the criticism that the program only benefits a select few.

Whether or not H.R. 2312 is enacted, the Follow Through Program will continue to operate. Without this amendment, there would be a greater chance that new grantees could receive funding. If Follow Through is not a successful program, then we should not continue to authorize it. On the other hand, if it is successful, then the time has come to change the program to allow the broadest number of schools to participate and benefit.

Enactment of H.R. 2312 will allow Follow Through dollars to continue to go to the same grantees. It is time for a change.

BILL GOODLING.
MARGE ROUKEMA.
JOHN BOEHNER.
STEVE GUNDERSON.
TOM PETRI.
SCOTT KLUG.
BILL BARRETT.
DICK ARMEY.
PAUL HENRY.
SUSAN MOLINARI.
CASS BALLENGER.
HARRIS W. FAWELL.